

Remarks

Introduction

Claims 1-10 and 12-25 were pending. By way of this response, claims 1, 12, 16, and 21 have been amended. Support for the amendments to the claims can be found in the application as originally filed, and no new matter has been added. Accordingly, claims 1-10 and 12-25 remain pending.

In view of the amendments to the claims and the remarks herein, applicant requests reconsideration and withdrawal of each of the claim rejections.

Rejection Under 35 U.S.C. § 102

Claims 1, 8-10, 12, 13-15, 21, and 24 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Pak (U.S. Pat. No. 5,574,612).

Independent claims 1, 16, and 23 have been amended as set forth above. Specifically, the present claims recite a power distribution unit which includes at least one output receptacle that is electrically connected to an electrical power input assembly without directly contacting a component of a circuit panel. As recited in claim 12, the at least one of the receptacles is connected to the input assembly by a wire. Applicant traverses the rejection as it relates to the present claims.

Pak discloses a "plug-in" receptacle that can be substituted for a circuit breaker of a conventional service

panel. The receptacle of Pak is configured for quick plug-in mounting on the service panel (column 1, lines 12-14). In reference to FIG. 4, the receptacle 20 is designed to be directly mounted on service panel 22 so that no special modifications are needed to the panel in order to mount the receptacle (column 5, lines 20-24). The receptacle 20 is provided with an attachment mechanism 194 that enables the receptacle to be securely mounted on the panel 22 in the same quick plug-in manner as a standard circuit breaker module (column 11, lines 29-35). In short, Pak discloses a quickly removable receptacle that has a housing that directly contacts a portion or component of a service panel. The receptacle is installed on the service panel by removing a circuit breaker module and substituting the receptacle therefor. The spring contacts 56a and 56b of the receptacle 20 physically contact the blades 120 of the service panel.

Pak does not disclose, teach, or suggest the present invention. For example, Pak does not disclose, teach, or even suggest a power distribution unit that includes one or more output receptacles electrically connected to an electrical power input assembly without directly contacting a component of a circuit panel of the power distribution unit, as recited in the present claims.

As discussed above, Pak specifically discloses a receptacle that is mounted on a service panel and directly contacts the service panel. Since Pak does not disclose or teach each and every element recited in the present claims, Pak does not anticipate the present claims under 35 U.S.C. § 102.

In addition, applicant submits that Pak actually teaches away from the present claims. For example, the receptacle of Pak includes two internally located spring contacts that are necessary to achieve a desired electrical connection. The internal spring contacts contact the extending blades of the service panel, as discussed above. The structural arrangement of the Pak receptacle causes the housing of the receptacle to directly contact a component of the service panel. The specific structural arrangement disclosed by Pak is required in order to provide the desired efficient utilization of space within the service panel and the temporary electrical connection (column 3, lines 21-23; and column 5, lines 24-29). Thus, Pak actually teaches away from receptacles of power distribution units that do not directly contact a component of a power distribution unit circuit panel, as recited in the present claims.

In view of the above, applicant submits that the present claims, and claims 1, 8-10, 12, 13-15, 21, and 24 in particular, are not anticipated by Pak under 35 U.S.C. § 102. In addition, applicant submits that the present claims are unobvious from and patentable over Pak under 35 U.S.C. § 103, for the reasons discussed above, and as discussed below.

#### Rejections Under 35 U.S.C. § 103

Claims 2-4, 16-20, 22, and 23 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pak in view of Tajali (U.S. Pat. No. 5,414,590). Claim 3 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pak in view of Jones (U.S. Pat. No. 3,631,324). Claim 5 has

been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pak.

Applicant traverses each of these rejections as it relates to the present claims.

Pak has been discussed above, and such discussion is resubmitted here.

Tajali discloses an electrical distribution board and meter socket assembly. Openings are provided in different components to accommodate cables and wiring. Tajali does not disclose, teach, or suggest the present invention. For example, Tajali does not disclose, teach, or even suggest any type of receptacle used for providing electrical power, let alone the receptacles recited in the present claims.

Jones discloses a portable distribution panel including a wheeled housing. Jones does not disclose, teach, or suggest the present invention. For example, Jones does not disclose, teach, or even suggest any type of electrical output assemblies, let alone receptacles for providing electrical power.

Applicant submits that the present claims are unobvious from and patentable over Pak, taken alone, or in any combination with Tajali and/or Jones, since the references taken alone or in any combination do not disclose, teach, or even suggest all of the elements recited in the present claims.

As discussed above, the primary reference, Pak, fails to disclose a power distribution unit that includes a receptacle

that is connected to an electrical power input assembly without directly contacting a component of a circuit panel of the power distribution unit. Indeed, Pak actually teaches away from spacing the receptacle from the service panel since such spacing would prevent the spring contacts of the receptacle from contacting the blades of the service panel and would prevent an electrical connection to the receptacle. Pak specifically requires the receptacle to be in direct contact with a component of the service panel.

"As a general rule, references that teach away cannot serve to create a prima facie case of obviousness." (*McGinley v. Franklin Sports, Inc.* CAFC 8/21/01 citing *In re Gurley*, 31 USPQ2d 1131, (Fed. Cir. 1994)).

Tajali fails to provide the deficiencies apparent in Pak. For example, Tajali does not even contain the word "receptacle". Moreover, Tajali fails to disclose, teach, or even suggest a power distribution unit that includes one or more receptacles, as recited in the present claims.

Similarly, Jones fails to provide the deficiencies apparent in Pak. For example, Jones does not disclose, teach, or even suggest a power distribution unit that includes a receptacle that is electrically connected to an electrical power input assembly without directly contacting a component of a circuit panel of the power distribution unit, as recited in the present claims.

Since the references taken alone, or in any combination, do not disclose, teach, or even suggest all of the elements recited

in the present claims, applicant submits that the present claims are unobvious from and patentable over the references, alone or in combination, under 35 U.S.C. § 103.

In addition, applicant submits that a person of ordinary skill in the art would not be motivated to modify Pak or combine the teachings of Pak with Tajali and/or Jones, let alone to do so, and obtain the power distribution units recited in the present claims. For example, as discussed herein, Pak teaches away from the present claims, and references that teach away should not serve as a basis to establish a prima facie case of obviousness.

Applicant also submits that each of the present dependent claims is separately patentable over the prior art. For example, none of the prior art disclose, teach, or even suggest the present power distribution units including the additional feature or features recited in any of the present dependent claims. For example, the prior art does not disclose, teach, or even suggest a power distribution unit that includes a receptacle connected to an electrical power input assembly by a wire, as recited in claim 12. Therefore, applicant submits that each of the present claims is separately patentable over the prior art.

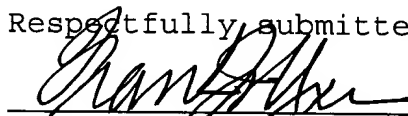
Conclusion

In conclusion, applicant has shown that the present claims are not anticipated by and are unobvious from and patentable over the prior art under 35 U.S.C. §§ 102 and 103. Therefore, applicant submits that the present claims, that is claims 1-10 and 12-25 are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: \_\_\_\_\_

4/25/05

Respectfully submitted,



Frank J. Oxa  
Attorney for Applicant  
Registration No. 25,612  
4 Venture, Suite 300  
Irvine, California 92618  
(949) 450-1750  
(949) 450-1764 Facsimile